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Small Business Patent

002/020

#16/N.T.
6/17
RCE

JUN 16 2003

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PTO/SB/30 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal Address to: Commissioner for Patents Box RCE Washington, DC 20231	Application Number	09/939,518
	Filing Date	08/24/2001
	First Named Inventor	Mark J. Jaroszeski et al.
	Art Unit	1835
	Examiner Name	Jon E. Angell
	Attorney Docket Number	1372.34

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

a. Previously submitted

i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. Other _____

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/ Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. Deposit Account No. _____

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

BEST AVAILABLE COPY

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Molly Sauter	Registration No. (Attorney/Agent)	46,457
Signature	<i>Molly Sauter</i>	Date	June 13, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Deborah Preza	Date	June 14, 2003
Signature	<i>Deborah Preza</i>		

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Practitioner's Docket No.: 1372.34

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark J. Jaroszeski et al.

Serial No.: 09/939,518

Art Unit: 1635

Examiner: Jon E. Angell

Filed: 08/24/2001

For: Method of Using Electric Fields to Facilitate
the Entry of Molecules into Cells in Vivo

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Faxed to Technology Center 1600 at (703) 872-9306
Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

- 1. Transmitted herewith is an amendment for this application.

STATUS

- 2. Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

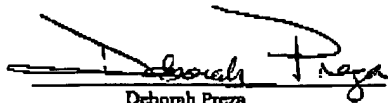
- 3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that an extension of term is required. Petition And Fee For Extension of Time is attached hereto.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment D is being transmitted by facsimile to the U.S. Patent and Trademark Office, Technology Center 1600, Art Unit 1635, Attn: Jon E. Angell, (703) 872-9306 on June 13, 2003.

Dated: June 13, 2003


Deborah Preza

(Amendment Transmittal—page 1)

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FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col.2)		(Col.3)	SMALL ENTITY
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate
						Addit. Fee
Total	28	Minus	24	= 2	x \$9 =	\$18.00
Indep.	4	Minus	4	= 0	x \$42 =	\$ 0.00
First Presentation of Multiple Dependent Claim						+ \$130 = \$ 0.00
Total						
Addit. Fee						\$18.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

An additional fee for claims is required.
Credit Card Payment Form (PTO-2038) is enclosed herewith.

FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Deposit Account No. 500745.
If any additional fee for claims is required, charge Deposit Account No. 500745.


SIGNATURE OF PRACTITIONER

Reg. No. 46,457
Tel. No.: (727) 507-8558

Molly Sauter
Smith & Hopen, P.A.
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760

(Amendment Transmittal—page 2)

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Smith&Hopen, P.A.

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Practitioner's Docket No.: 1372.34

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark J. Jaroszeski et al.

Examiner: Jon E. Angell

5 Serial No.: 09/935,513

Art Unit: 1635

Filing Date: 08/24/2001

10 For: METHOD OF USING ELECTRIC
FIELDS TO FACILITATE THE
ENTRY OF MOLECULES INTO
CELLS IN VIVO

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15 Faxed to Technology Center 1600 at (703) 872-9306
Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

In response to the Final Examiner's Action mailed December 17, 2002, having a shortened statutory period for response that expired March 17, 2003 and an extended statutory period for response set to expire June 17, 2003, the above-identified patent application is
25 amended a fourth time as follows. Applicant has elected to present the amendment using the revised amendment format set forth in the waiver of 37 CFR 1.121.

For the purposes of this amendment, Applicant accepts that the amendment filed
February 12, 2003 was not entered as explained in the Advisory Action mailed March 13, 2003.

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AMENDMENT D
(37 C.F.R. § 1.121)

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